

McGREGOR W. SCOTT  
United States Attorney  
MARIANNE PANSA  
Assistant United States Attorney  
1130 "O" Street, Room 3654  
Fresno, California 93721  
  
Telephone: (559) 498-7272  
Attorneys for Respondents

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA**

PORFORIO MORENO MUNOZ )

Petitioner, )

vs. )

UNITED STATES OF AMERICA )

Respondent. )  
\_\_\_\_\_ )

No. CR-F-02-5422 REC  
No. 1:03-CV-6255

**STIPULATION AND  
ORDER REGARDING  
BRIEFING SCHEDULE**

\_\_\_\_\_The petitioner has collaterally attacked his conviction for 8 USC § 1326 on the basis that he is a United States citizen. The parties have stipulated that the petitioner would submit an application for United States Citizenship (N-600) to the Citizenship and Immigration Services (CIS) and that the respondent's brief would be due after the adjudication of the N-600 application. The filing deadline for the respondent's brief is **June 9, 2006**. This application process took longer than anticipated. The application was denied and served on the petitioner on **June 5, 2006**. See, Decision attached at Exhibit A. The petitioner has a right to appeal that decision within thirty days. If the petitioner files an appeal, the government will make an effort to have the appeal adjudicated as quickly as possible. Because the final administrative decision may impact the outcome of these proceedings, the parties have agreed that the government will submit a response to the petitioner's supplemental brief after a decision regarding the appeal will be made. Accordingly, the parties

1 stipulate that the respondent's reply brief will be due on **September 8, 2006**.

2  
3 Respectfully Submitted,

4  
5  
6 Dated : June 7, 2006

/s/ Marianne Pansa  
McGREGOR W. SCOTT  
United States Attorney  
by: MARIANNE A. PANSA  
Assistant United States Attorney

9 Attorney for the Respondents

10 Dated : June 7, 2006

/s/ Carolyn Phillips (consent given to sign)  
CAROLYN D. PHILLIPS  
Attorney at Law  
Attorney for Petitioner Moreno-Munoz

11  
12  
13  
14  
15  
16 -----

17 **ORDER**

18  
19  
20 IT IS SO ORDERED.

21 Dated: June 9, 2006  
22 0m8i78

/s/ Anthony W. Ishii  
UNITED STATES DISTRICT JUDGE